

**PROOF**

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**STATE OF IOWA**

**House Journal**

**MONDAY, JANUARY 30, 2006**

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(The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Fifteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, January 30, 2006

The House met pursuant to adjournment at 1:08 p.m., Speaker Rants in the chair.

Prayer was offered by Reverend Bob Wallace, pastor of Nazareth Lutheran Church, Cedar Falls. He was the guest of Representative Bob Kressig of Black Hawk County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Friday, January 27, 2006 was approved.

### INTRODUCTION OF BILLS

[House File 2163](#), by Pettengill, Swaim, Berry, Kressig, D. Taylor, Mertz, Thomas, Bukta, Whitaker, Schueller and Gaskill, a bill for an act restricting the exhibition or dissemination of certain sexual devices to minors and providing a penalty.

Read first time and referred to committee on **judiciary**.

[House File 2164](#), by Murphy, a bill for an act relating to fees for special national guard motor vehicle registration plates.

Read first time and referred to committee on **transportation**.

[House File 2165](#), by Hogg, Petersen, Kuhn, Foege, Smith, Heddens, Oldson, Wendt, Berry, Whitaker, Reasoner, Shomshor, Reichert, Kressig, Wessel-Kroeschell, D. Olson, Pettengill, Gaskill and Murphy, a bill for an act providing for implementation of a child care at night pilot project and making an appropriation.

Read first time and referred to committee on **human resources**.

[House File 2166](#), by Pettengill, Swaim, Berry, Ford, D. Taylor, Hunter, Wendt, Thomas, Davitt, Mertz, Foege, Bell, Bukta, Whitaker, Schueller, Petersen, Gaskill, Lensing, Kressig and Heddens, a bill for an act related to the definition of "dependent adult abuse".

Read first time and referred to committee on **judiciary**.

[House File 2167](#), by Kaufmann, Sands, Dolecheck, May, Anderson, De Boef, Wilderdyke, Alons, S. Olson, Kurtenbach, Upmeyer, Dix, Lalk, Tjepkes, Heaton, Horbach, Hutter, Baudler, Rayhons, Huser, Roberts, Struyk, Chambers, Boal, Drake, Granzow, Huseman, Eichhorn, Soderberg and Tymeson, a bill for an act relating to making an appropriation to qualified fairs which belong to the association of Iowa fairs under the office of treasurer of state.

Read first time and referred to committee on **appropriations**.

[House File 2168](#), by Jacobs, a bill for an act relating to the time period in which an involuntary hospitalization hearing for chronic substance abusers and mentally ill persons must be held.

Read first time and referred to committee on **judiciary**.

[House File 2169](#), by Pettengill, Swaim, Berry, Jacoby, D. Taylor, Thomas, Hunter, Wendt, Cohoon, Shomshor, Mertz, Davitt, Bukta, Whitaker, Schueller, Petersen, Gaskill, Lensing, Kressig and Heddens, a bill for an act relating to the disclosure of methamphetamine manufacture in real estate installment contracts and real estate transfers.

Read first time and referred to committee on **commerce, regulation and labor**.

[House File 2170](#), by Hogg, Kaufmann, D. Olson, May, Ford, Granzow, Smith, Chambers, Huseman, Oldson, Wilderdyke, Wise, Carroll and Miller, a bill for an act establishing an Iowa Civil War sesquicentennial commission and fund and providing for its prospective repeal.

Read first time and referred to committee on **state government**.

On motion by Gipp of Winneshiek, the House was recessed at 1:17 p.m., until 3:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 3:05 p.m., Speaker Rants in the chair.

#### INTRODUCTION OF BILLS

[House File 2171](#), by committee on natural resources, a bill for an act allowing fishing without a license for certain persons who fish in a supervised group.

Read first time and placed on the **calendar**.

[House File 2172](#), by Huser, Struyk, Lukan, McCarthy, Thomas, Petersen, Reichert, Wise, Tomenga and R. Olson, a bill for an act concerning the line of duty death benefit payable to public safety providers and making an appropriation.

Read first time and referred to committee on **state government**.

[House File 2173](#), by Swaim, a bill for an act establishing penalties for anabolic steroid use by a student athlete and for the procurement, sale, or administration of an anabolic steroid by a person who holds a license, certificate, or coaching authorization issued by the board of educational examiners.

Read first time and referred to committee on **education**.

[House File 2174](#), by Chambers, a bill for an act requiring payout information stickers on monitor vending machines.

Read first time and referred to committee on **state government**.

[House File 2175](#), by Watts, Struyk and Kurtenbach, a bill for an act relating to the distribution of local option sales and services tax revenues to cities and counties and providing an applicability date provision.

Read first time and referred to committee on **ways and means**.

[House File 2176](#), by Mascher, Lensing and Jacoby, a bill for an act relating to the statute of limitations in a child sexual abuse case.

Read first time and referred to committee on **judiciary**.

#### CONSIDERATION OF BILLS Appropriations Calendar

[House File 2002](#), a bill for an act increasing the standing amount required to be appropriated, reverted, or transferred to the credit of the senior living trust fund and including effective and retroactive applicability date provisions, with report of committee recommending passage, was taken up for consideration.

The House stood at ease at 3:10 p.m., until the fall of the gavel.

The House resumed session at 4:38 p.m., Speaker Rants in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hunter of Polk on request of Murphy of Dubuque.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2002](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn

Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Hunter                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2002](#) be immediately messaged to the Senate.

#### COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

##### DEPARTMENT OF ECONOMIC DEVELOPMENT

Semi-annual report on progress in the Value-added Agricultural Products and Processes Financial Assistance Program, pursuant to Chapter 15.204, Code of Iowa.

Annual report on the activities of Endow Iowa, pursuant to Chapter 15.104(9), Code of Iowa.

##### DEPARTMENT OF EDUCATION

Annual legislative report on Student Achievement and Accountability, pursuant to Chapter 284.12(1), Code of Iowa.

**CERTIFICATES OF RECOGNITION**

**MR. SPEAKER:** The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

**MARGARET A. THOMSON**  
**Chief Clerk of the House**

- 2006\349 Curt Fiedler, George-Little Rock/Central Lyon Cross Country Coach, George – For being named Class 2A Northwest District Boys Cross Country Coach of the Year.
- 2006\350 Greta Gerritsen, Inwood – For celebrating her 90<sup>th</sup> birthday.
- 2006\351 Melvin and Gertie Bonnema, Sioux Center – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\352 James McLain, Sioux City – For celebrating his 97<sup>th</sup> birthday.
- 2006\353 Ethel Sever, Sioux City – For celebrating her 91<sup>st</sup> birthday.
- 2006\354 Verda Muth, Sioux City – For celebrating her 93<sup>rd</sup> birthday.
- 2006\355 Leroy and Mary Bell, Sioux City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\356 Rose Campbell, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2006\357 Eleanore Jackson, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2006\358 Eugene and Vietta Thornton, Mason City – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\359 Jerry and Barb Krieger, Mason City – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2006\360 Merle Thompson, Mason City – For celebrating his 80<sup>th</sup> birthday.
- 2006\361 Arlis Meyer, Mason City – For celebrating her 95<sup>th</sup> birthday.
- 2006\362 Marlys Young, Mason City – For celebrating her 95<sup>th</sup> birthday.
- 2006\363 Mr. and Mrs. Arlo Peterson, Davenport – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\364 Phil and Pearl Madson, Harlan – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\365 Clarke and Julia Millhollin, Panora – For celebrating their 60<sup>th</sup> wedding anniversary.

- 2006\366 Neil and Sandra Lundy, Adair – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\367 Lucille Wiges, Audubon – For celebrating her 85<sup>th</sup> birthday.
- 2006\368 Dale Sloth, Audubon – For celebrating his 80<sup>th</sup> birthday.
- 2006\369 Robert and Patty Arterburn, Greenfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\370 Vivian Garside, Greenfield – For celebrating her 80<sup>th</sup> birthday.
- 2006\371 Pauline Ulrich, Klemme – For celebrating her 85<sup>th</sup> birthday.
- 2006\372 Ben Navratil, Plymouth – For celebrating his 91<sup>st</sup> birthday.
- 2006\373 Hartley and Dorothy Alden, Dougherty – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\374 Wayne and Evonne Plagge, Latimer – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\375 Ralph Kothe, Hampton – For celebrating his 90<sup>th</sup> birthday.
- 2006\376 Raymond and Elizabeth Jones, Albia – For celebrating their 53<sup>rd</sup> wedding anniversary.
- 2006\377 Bill and Barbara Shelton, Chariton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\378 Dr. Lee and Ann Brewers, Iowa Falls – For celebrating their 60<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 2117](#)

Veterans Affairs: Kaufmann, Chair; Alons and Quirk.

##### [House File 2132](#)

Veterans Affairs: Kaufmann, Chair; D. Taylor and Watts.

##### [House File 2137](#)

Veterans Affairs: Hutter, Chair; Tymeson and Wendt.

##### [House File 2142](#)

Veterans Affairs: Hutter, Chair; Alons and Wendt.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 587](#)

Agriculture: S. Olson, Chair; Drake, Kaufmann, Kuhn, Lalk, Mertz and Reasoner.

[House Study Bill 588](#)

Agriculture: De Boef, Chair; Lalk and Thomas.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 592](#) **Government Oversight**

Modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

[H.S.B. 593](#) **Ways and Means**

Updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

## COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly [House Study Bill 553](#)), requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 2006.

## AMENDMENT FILED

<u>H-8005</u>	<u>H.F.</u>	<u>2045</u>	Swaim of Davis
Bell of Jasper			Bukta of Clinton
Ford of Polk			Gaskill of Wapello
Kuhn of Floyd			Lykam of Scott
Miller of Webster			Oldson of Polk
Berry of Black Hawk			Cohoon of Des Moines
Davitt of Warren			Foege of Linn
Frevert of Palo Alto			Jacoby of Johnson
Kressig of Black Hawk			Mertz of Kossuth
Murphy of Dubuque			D. Olson of Boone
Pettengill of Benton			Reasoner of Union
Schueller of Jackson			Shoultz of Black Hawk
T. Taylor of Linn			Wendt of Woodbury
Whitaker of Van Buren			Winckler of Scott
Petersen of Polk			Quirk of Chickasaw
Reichert of Muscatine			Shomshor of Pottawattamie
D. Taylor of Linn			Thomas of Clayton
Whitead of Woodbury			Wise of Lee

On motion by Gipp of Winneshiek the House adjourned at 4:50 p.m., until 8:45 a.m., Tuesday, January 31, 2006.